

Fiscal Note

Fiscal Services Division



HF 463 – Motor Vehicle Enforcement and Commercial Learner's Permits (LSB2126HV.1)
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Fiscal Note Version – As Amended by Senate Amendment H-1295

Description

House File 463 as amended by Senate Amendment H-1295 regulates the validity period of a commercial learner's permit (CLP) to match federal code. The Bill also allows certain commercial motor vehicles (CMVs) with auxiliary power or idle-reduction technology to exceed the maximum gross weight limits under Iowa Code chapter [321](#) by 550 pounds or the weight of the applicable technology, whichever is less.

House File 463 further regulates the enforcement powers and duties of Department of Transportation (DOT) Motor Vehicle Enforcement (MVE) officers under Iowa Code section [321.477](#). The Bill confers the authority of a peace officer to designated DOT employees to enforce all the laws of the State, including DOT rules and regulations as defined under Iowa Code section [801.4](#).

House File 463 takes effect on enactment. The section of the Bill amending Iowa Code section 321.477 is repealed July 1, 2018.

Background

A CLP is an instructional permit that allows a driver to operate a CMV when accompanied by a person who holds a valid commercial driver's license (CDL). Under Iowa Code section [321.180](#), the CLP is only valid for 180 days. Federal exemptions allow for states to extend the validity period for CLPs to one year. House File 463 will allow Iowa to match the validity period established by the federal government in [49 C.F.R. 383.25\(c\)](#) and [49 C.F.R. 383.73\(a\)\(2\)\(iii\)](#). In Iowa, there were 950 CLP renewals in FY 2016 at a cost of \$12 per license renewal.

The DOT's MVE unit is comprised of 98 sworn peace officers and 9 civilians. MVE officers primarily engage in CMV enforcement on the primary road system. However, MVE officers do engage in non-CMV enforcement to maintain safety on the primary road system. The costs for MVE officers and enforcement activities are funded by appropriations made to the Motor Vehicle Division from the Road Use Tax Fund (RUTF) and the Primary Road Fund (PRF).

Pending litigation against the DOT seeks to prevent the Department from most enforcement activities outside of those specifically mentioned under current Iowa Code section 321.477. The DOT has requested legislation to clarify the MVE officers' designation as peace officers to enforce all laws of the State under this Code section.

Assumptions

- House File 463 may reduce the number of CLP renewals.
- Certain commercial vehicles with idle-reduction technologies installed may be exempt from weight restrictions.
- Employees designated by the DOT as MVE officers may continue to enforce all laws of the State, including but not limited to CMV and non-CMV enforcement.

Fiscal Impact

House File 463 as amended by Senate Amendment H-1295 has the following fiscal impact:

- The fiscal impact to the RUTF from the revenue reduction of CLP renewals is expected to be minimal.
- The fiscal impact to the RUTF from changing weight restrictions for certain commercial vehicles that employ auxiliary power units or idle-reduction technologies is expected to be minimal.
- There is no fiscal impact from amending Iowa Code section 321.477 to regulate the authority of MVE officers.

Sources

Department of Transportation
Criminal and Juvenile Justice Planning Division

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
